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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,134	06/24/2003	Sridhar Sadasivan	86569WRZ	1606

7590 05/19/2006

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EXAMINER	
RIELLEY, ELIZABETH A	

ART UNIT	PAPER NUMBER
2879	

DATE MAILED: 05/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/602,134	SADASIVAN ET AL.	
	Examiner	Art Unit	
	Elizabeth A. Rielley	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 February 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 February 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Amendment filed 2/24/2006 has been entered and considered by the Examiner. Currently, claims 1-5 are pending in the instant application.

The amendment filed 2/24/06 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: the phrases describing the nanomorphic material layer not being a linking agent is considered new matter.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Objections

Claim 4 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Since claim 4 is dependent on claim 3, and claim 3 states that the two non-polymeric organic nanomorphic materials luminesce at different wavelengths when addressed through the electrodes, it is not clear to the Examiner how claim 4 further limits the subject matter in claim 3, since claim 4 states that the two non-polymeric organic nanomorphic materials have an equivalent chemical compositions, which

would then luminesce at the same wavelength. If a dopants was added to one of the non-polymeric organic nanomorphic materials in order to change the luminescent wavelength, then the two materials would have different chemical compositions. A further explanation is required or a change to the claim is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-5 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the original specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The amended phrase "which is not a linking agent", which is in reference to a nanomorphic non-polymeric organic compound, was not discussed in the specification as originally filed, thus, failing to convey to one skilled in the relevant art that the inventor had possession of the claimed invention at the time of filing. The original specification also fails to teach that the property of the nanomorphic material is intrinsically not a linking agent. The arguments against this 112 rejection dated 2/24/06 fail to explain how the non-polymeric organic compound is intrinsically not a linking agent, especially since the office actions dated 2/24/05 and 8/10/05 cite Alivisatos et al (US 5537000) which teach a nanomorphic non-polymeric organic compound which is a linking agent.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Lamansky et al (US 20040062947).

In regard to claim 1, Lamansky et al ('947) teach a light emitting display (paragraph 2) comprising: a first addressing electrode and a second addressing electrode (not in drawings; paragraph 30 teaches an OLED comprising an organic electroluminescent layer disposed between two oppositely charged electrodes, which are naturally addressing electrodes), a nanomorphic material layer (paragraph 32 teaches the organic electroluminescent layer contains hole injecting material; paragraph 48 teaches the hole injecting material to comprise nanomorphic material, specifically nano-particles) having at least one nanomorphic non-polymeric organic compound (paragraph 32 teaches the organic electroluminescent layer contains hole injecting material; paragraph 48 teaches the hole injecting material to comprise nanomorphic material, specifically nano-particles; paragraph 32 also teaches the organic electroluminescent layer comprises an electron transport material; paragraph 34 teaches the electron transport material is non-polymeric) which is position between the first addressing electrode and the second addressing electrode (paragraph 30 teaches an OLED comprising an organic electroluminescent layer disposed between two oppositely charged electrodes, which are naturally addressing electrodes) and which is not a linking agent (paragraphs 27-33 teach the function of the electroluminescent layer is to

emit light when activated by the electrons from the electrodes. There is no mention of the organic electroluminescent layer being a linking layer).

In regard to claim 2, Lamansky et al ('947) teach the nanomorphic material is a first non-polymeric organic nanomorphic material adapted to luminesce at a first wavelength when addressed through the first and second electrodes (paragraphs 27-30 teach an OLED comprising an organic electroluminescent layer disposed between two oppositely charged electrodes that luminesce when charged by the electrodes; paragraph 32 teaches the organic electroluminescent layer contains hole injecting material; paragraph 48 teaches the hole injecting material to comprise nanomorphic material, specifically nano-particles; paragraph 32 also teaches the organic electroluminescent layer comprises an electron transport material; paragraph 34 teaches the electron transport material is non-polymeric).

In regard to claim 3, Lamansky et al ('947) teach a second non-polymeric organic nanomorphic material positioned between the first addressing electrode and the second addressing electrode in a location other than a location of the first organic nanomorphic material, the second organic nanomorphic material being adapted to luminesce at a second wavelength different that the first wavelength when addressed through the first and second electrodes (paragraphs 93 and 94 teach various OLED arrangements, one of which is independently addressable organic electroluminescent layers within the display for use in separate pixels, each pixel/organic electroluminescent layer emits different colors, which are different wavelengths).

In regard to claim 4, Lamansky et al ('947) teach the first non-polymeric organic nanomorphic material has an equivalent chemical composition when compared to the second organic nanomorphic material (paragraphs 93 and 94 teach that each independently addressable organic electroluminescent

layer emits the same colors, therefore the independently addressable organic electroluminescent layers would have equivalent chemical compositions).

In regard to claim 5, Lamansky et al ('947) teach the first non-polymeric organic nanomorphic material having a first chemical composition, the second organic nanomorphic material having a second chemical composition, wherein the first chemical composition does not equal the second chemical composition (paragraphs 93 and 94 teach that each independently addressable organic electroluminescent layer emits different colors; paragraphs 5 and 89 teach the use of various luminescent dopants to make the organic electroluminescent layer luminesce at different colors, therefore the independently addressable organic electroluminescent layers that emit at different colors would naturally have different chemical compositions from each other, due to the dopants that are used to make the layers emit different color).

Response to Arguments

Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth A. Rielley whose telephone number is 571-272-2117. The examiner can normally be reached on Monday - Friday 7:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Elizabeth Rielley

Examiner
Art Unit 2879

ASHOK PATEL
PRIMARY EXAMINER